

REMARKS

The Office Action dated August 18, 2008, has been received and carefully noted. The above amendments and the following remarks are submitted as a full and complete response thereto.

Claims 1-31, 63, and 107-109 are currently pending under examination. Claims 32-62 and 64-106 are currently withdrawn from consideration. By this Amendment, claims 1, 18, 63, and 107-109 have been amended. Support for the amendments can be found in the specification at, for example, page 27, line 24 to page 28, line 24, and page 30, lines 15-16. No new matter is added.

The Office Action rejects claims 1, 2, 7, 8, 10-13, 18, 19, 22-24, 26-29, and 63 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,093,718 to Hoarty et al. ("Hoarty") in view of U.S. Patent No. 5,506,902 to Kubota ("Kubota") and in further view of U.S. Patent No. 5,624,265 to Redford et al. ("Redford") and U.S. Patent No. 5,696,982 to Tanigawa et al. ("Tanigawa"); rejects claim 3 under 35 U.S.C. §103(a) as being unpatentable over Hoarty in view of Kubota in further view of Redford and U.S. Patent No. 5,210,611 to Yee et al. ("Yee") and Tanigawa; rejects claims 4, 5, 20 and 21 under 35 U.S.C. §103(a) as being unpatentable over Hoarty in view of Kubota in further view of Redford and U.S. Patent No. 5,632,022 to Warren et al. ("Warren") and Tanigawa; rejects claim 6 under 35 U.S.C. §103(a) as being unpatentable over Hoarty in view of Kubota in further view of Redford, U.S. Patent No. 4,361,848 to Poignet et al. ("Poignet") and Tanigawa; rejects claims 9, 14-17, 25, 30 and 31 under 35 U.S.C. §103(a) as being unpatentable over Hoarty in view of Kubota in further view of Redford, U.S. Patent No. 5,475,399 to Borsuk ("Borsuk") and Tanigawa. It is noted that independent claims 1, 18, 63, and 107-109 have been amended. To the extent the rejections remain applicable to the claims currently pending, the Applicants respectfully traverse these rejections as follows.

In rejecting independent Claims 1, 18, 63~~in~~ and 107-109, the Office Action admitted that Hoarty fails to teach offering the interactive service of electronic books that can be selected in an interactive guide. The Office Action, however, alleged, at page 4 of the Office Action, that Kutoba discloses associated subscriber-created data (user request) with individual electronic books located in the collection of electronic books and displaying the subscriber-created data (selected book) associated with each of the books included in the particular menu. The Office Action further admitted that Hoarty and Kubota fails to teach that the electronic books can be ordered and transmitted electronically via a transmitter but alleged that Redford, at page 4, discloses ordering and transmitting electronic books via the transmitter. Moreover, the Office Action, at page 5, admitted that Hoarty, Kubota and Redford fail to teach means for storing the subscriber-created data with individual electronic books located in the collection of electronic, but alleged that Tanigawa teaches such features. Applicants respectfully disagree.

The system and method of the present invention are configured to allow the subscribers to create a particular library menu based on one of a subscriber-enter selection via a user-request option and a subscriber-defined selection via a user-defined option, and to add notes associated with individual electronic books as desired. Furthermore, the electronic books, in response to a transmitted order, are transmitted from a remote operations center to the home subsystem. None of the cited art is configured to achieve such features.

Specifically, the Applicants submit that Hoarty, Kubota, Redford, Yee, Warren, Poignet, and Borsuk, either individually or in combination, fail to disclose or suggest at least the combination of features of a library comprising an electronic collection of electronic books, ordered and transmitted electronically via the transmitter, wherein in response to a transmitted order, the ordered electronic book is transmitted from a remote operations

center to the home subsystem and stored in the library unit of the home subsystem until a selection is received to view the electronic book, means for associating subscriber-created data with individual electronic books located in the collection of electronic books, means for storing the subscriber-created data with individual electronic books located in the collection of electronic books, means for receiving one of a subscriber-entered selection and a subscriber-defined selection, a menu generator that determines and generates a particular library menu of the books located in the collection based on at least one of the received selection and a default menu, and a display, connected to the connector, that displays the particular library menu of books relating to the determination of the menu generator, and displays the subscriber-created data associated with each of the books included in the particular library menu, as recited in amended Claim 1, and similarly in amended Claims 18, 63, and 107-109.

Accordingly, amended Claims 1, 18, 63, and 107-109 are allowable over the cited art.

As claims 1 and 18 are allowable, the Applicants submit that claims 2-17 and 19-31, which depend from allowable claims 1 and 18, respectively, are likewise allowable over the cited references.

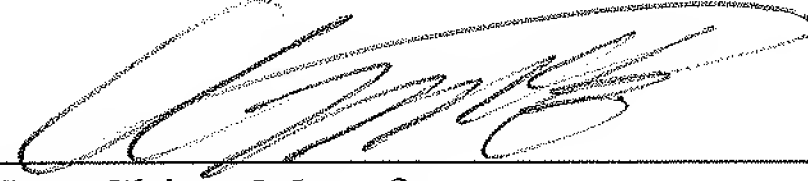
II. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the currently pending claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is requested to contact the undersigned at the telephone number set forth below.

In the event this paper is not considered to be timely filed, the Applicant hereby petitions for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, referencing Attorney Dkt. No. 026880-00013.

Respectfully submitted,



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